



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUN 22 1998

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Jimmy Pak Tong Ko
Boeing Company
PO Box 3707; Mail Stop 7A-WU
Seattle, WA 98124

Dear Mr. Ko,

This letter is in response to your June 1998 inquiry to Christina Colt, EPA Region 10 concerning the reporting obligations for auxiliary facilities under section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA). Specifically, your question concerns the EPCRA section 313 reporting obligations of reclamation centers that Boeing owns.

As I understand your situation, Boeing has a reclamation center that receives scrap metal containing EPCRA section 313 toxic chemicals from many Boeing sites, sorts the metals, and sends them out to scrap metal dealers. The Boeing company also performs the reclamation center's payroll. You ask if this reclamation center is an auxiliary facility of the Boeing manufacturing company and therefore potentially subject to reporting under EPCRA section 313.

For the purposes of EPCRA section 313, auxiliary facilities are primarily engaged in performing support services for another, primary facility, or multiple establishments of a primary company. In general, the primary company performs the auxiliary facility's basic administrative services (e.g., filing paperwork, performing payroll activities or employing the auxiliary facility's administrative staff). In addition, auxiliary facilities perform an integral role in the primary company's activities. For example, warehouses that store a manufacturing facility's products before final distribution would assume the manufacturing facility's SIC code because the warehouse performs an integral role in the manufacturing process. Although Boeing generates the reclamation center's payroll, the sorting of scrap and its distribution to scrap metal dealers is not an integral role in the primary company's activities. Therefore, the reclamation center would not be considered an auxiliary facility to the Boeing company.

I hope this information is helpful to you in making your threshold determinations and release and other waste management calculations under EPCRA section 313. If you have any further questions, please call me at 202.260.9592 or Sara Hisel McCoy, of my staff at 202.260.7937.

Sincerely,

A handwritten signature in black ink, appearing to read "Maria J. Doa", with a stylized flourish at the end.

Maria J. Doa Ph.D., Chief
Toxics Release Inventory Branch

cc: IG system